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1633
Attorney Docket No.: 19374-503

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Farmer
SERIAL NUMBER : 09/424,527 EXAMINER : Not Yet Assigned
FILING DATE : May 29, 2003 ART UNIT : 1633
FOR : PROBIOTIC LACTIC ACID BACTERIUM TO TREAT BACTERIAL
INFECTIONS ASSOCIATED WITH SIDS

Mail Stop IDS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of Cited References: A1-2; B1, C1-6; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 19374-503. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Ingrid A. Beattie, Reg. No. 42,306
Attorneys for Applicants
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Dated: March 10, 2004



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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449.

This Information Disclosure Statement is being filed within three months of the mailing date of the Supplemental European Office Search Report for EP 98 92 5189, mailed January 14, 2004 and before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: **Farmer**
U.S.S.N.: **09/424,527**

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 19374-503.

Respectfully submitted,



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Page 1 of 1
 Attorney Docket No.: 19374-503

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <small>(use as many sheets as necessary)</small>		Application Number	09/424,527
		Filing Date	May 29, 2003
		First Named Inventor	Farmer
		Group Art Unit	1633
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	19374-503

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1	5,242,938	09/07/93	Lam	514	375	
	A2	5,322,777	06/21/94	Selva, et al.	435	71.3	

U.S. PUBLISHED APPLICATION DOCUMENTS

Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B1	WO 96/11014	BLACKMORES LIMITED	04/18/96	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	Lindsay, J.A., <i>Crit. Rev. Microbiol.</i> , 22(4):257-277 (1966).
	C2	Morris, et al., <i>Med. Hypotheses</i> , 22(2):211-222 (1987).
	C3	Murrell, et al., <i>J. Med. Microbiol.</i> , 39(2):114-127 (1993).
	C4	Nakamura, et al., <i>Intl. J. Systematic Bacteriol.</i> , No. 1, pgs. 63-73 (1988).
	C5	Reid, et al., <i>Clin. Microbiol. Rev.</i> , 3(4):335-344 (1990).
	C6	Supplementary European Search Report for EP 98 92 5189, date of mailing: January 14, 2004.

A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.